



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUL 06 2016

Mr. Cliff Bartley  
Cliff Bartley Consulting  
1421 Lamanto Avenue East  
Jacksonville, FL 32211

Reference No. 16-0043

Dear Mr. Bartley:

This letter is in response to your February 22, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to exceptions for vehicles transported by vessel. Specifically, you seek clarification of your understanding that vehicles shipped in accordance with § 176.905(i)(3) are excepted from the remainder of the HMR and are not required to comply with § 176.905(a)(2).

Your understanding is correct. The HMR provide modal exceptions under § 173.220(b)(4)(ii) for vehicles transported by vessel that conform to the requirements of § 176.905. Shipments of vehicles transported in accordance with § 176.905(i)(3) are only subject to United States Coast Guard regulations and are excepted from the HMR.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

**Goodall, Shante CTR (PHMSA)**

*Andrews  
176.905  
Storage of motor vehicles  
16-0043*

**From:** Geller, Shelby CTR (PHMSA)  
**Sent:** Monday, March 14, 2016 9:35 AM  
**To:** Hazmat Interps  
**Subject:** FW: Vehicle Exceptions in 49CFR176.905(i)

Dear Shante and Alice,

I wanted to follow up on Mr. Bartley's request again, as I still did not see it in the database.

Thanks,  
Shelby

**From:** Geller, Shelby CTR (PHMSA)  
**Sent:** Monday, February 22, 2016 4:01 PM  
**To:** Hazmat Interps  
**Subject:** FW: Vehicle Exceptions in 49CFR176.905(i)

Dear Shante and Alice,

Forwarded is a request for a letter of interpretation. Jordan spoke with Mr. Bartley.

Thanks,  
Shelby

**From:** Clifford Bartley [<mailto:cliffbartleyconsulting@gmail.com>]  
**Sent:** Monday, February 22, 2016 3:12 PM  
**To:** INFOCNTR (PHMSA)  
**Cc:** [cliffbartley@gmail.com](mailto:cliffbartley@gmail.com)  
**Subject:** Vehicle Exceptions in 49CFR176.905(i)

From: Cliff Bartley Consulting  
1421 Lamanto Avenue East  
Jacksonville, FL 32211

TO: PHMSA  
Standards and Rulemaking Division  
Pipeline and Hazardous Materials Safety Administration  
Attn: PHH-10, U.S. Department of Transportation, East Building  
1200 New Jersey Avenue, SE.  
Washington, DC 20590-0001

Ref: Letter of Interpretation on 49CFR176.905(i)(3)

Dear PHMSA,

I am seeking support in my understanding of 49CFR176.905(i)(3) which states:

- (i) **Exceptions.** A vehicle or mechanical equipment is **excepted from the requirements of this subchapter if any of the following are met:**

**(3) The vehicle or mechanical equipment is stowed in a hold or compartment designated by the administration of the country in which the vessel is registered as specially designed and approved for vehicles and mechanical equipment and there are no signs of leakage from the battery, engine, fuel cell, compressed gas cylinder or accumulator, or fuel tank, as appropriate. For vehicles with batteries connected and fuel tanks containing gasoline transported by U.S. vessels, see 46 CFR 70.10-1 and 90.10-38;**

My understanding is that subchapter "C" in the HMR comprise the complete "HAZARDOUS MATERIALS REGULATIONS" which would include parts 171-180. In the stowage of vehicles on vessels, If a vessel comply with 476.905(i)(3) including the references in 46 CFR that are noted, the offerer/shipper does do not have to comply with 49CFR176.905(a)(2).

Thank you for taking the time to respond to my inquiry.

Regards,

Cliff Bartley

*Cliff Bartley*

*cliffbartleyconsulting@gmail.com*

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